

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – December 19, 2008
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:06 a.m., recessed at 10:27 a.m., reconvened at 10:58 a.m. and adjourned at 11:18 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks, Day (out at 10:27 a.m.), Kreitzer, Pallinger, Riess, Woods

Commissioners Absent: None

Advisors Present: Lantis (DPW); Mehnert (OCC)

Staff Present: Baca, Beddow, Carmichael, Chan, Farace, Gibson, Giffen, Johnston, Oberbauer, Rosenberg, Rowan, Jones (recording secretary)

B. Statement of Planning Commission's Proceedings

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

None.

D. Announcement of Handout Materials Related to Today's Agenda Items

E. Formation of Consent Calendar: Items 1, 3, 4, 6 and 7.

Farm Program, Agenda Item 1:

1. **San Diego Farming Program Plan, County-Wide** (continued from December 5, 2008)

Proposed San Diego Farming Program Plan which will apply to unincorporated San Diego County. The Farming Program Plan represents the County's next step to implementation of Board Policy I-133 to protect and enhance farming as a vital industry. A major goal of the Farming Program Plan is to make recommendations that further guide the implementation of an institutional government framework that is responsive to local farmers and places an organization emphasis on the business of agriculture. Implementation of the Farming Program Plan will help contribute to an economically viable farming industry, help direct growth away from agricultural and natural areas, and provide regional conservation and support of habitat for plant and animal species.

Staff Presentation: Carmichael

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck - Brooks

Recommend that the Board of Supervisors accept and implement the San Diego County Farming Program Plan, which is designed to guide the County through steps to help meet the needs of and address the issues faced by local agriculture.

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| Ayes: | 6 - | Beck, Brooks, Day, Kreitzer, Pallinger, Riess |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Woods |

POD 08-015, Agenda Item 2:**2. Meteorological Testing (MET) Facilities, Zoning Ordinance Amendment
POD 08-015, Countywide**

Proposed is a series of alternatives with regard to possible Meteorological Testing (MET) Facilities Zoning Ordinance amendments and possible Wind Turbine System Zoning Ordinance amendments. On September 24, 2008 the Board of Supervisors directed the Chief Administrative Officer to amend the Zoning Ordinance to give the green light for renewable energy in San Diego County. In recent years, the need for renewable energy has become important as talk of power shortages and global warming have become more common. As the region looks for ways to become more energy self-sufficient, the County must look for ways to keep its regulations current in an effort to promote renewable energy sources. Pursuant to direction given by the Board of Supervisors, Department of Planning and Land Use Staff is to return with a report and alternatives to allow for MET facilities and streamline the existing regulations for domestic wind turbine systems.

Staff Presentation: Farace

Proponents: 6 **Opponents:** 1

Discussion:

Supporters of the proposed amendments believe requirements that Major Use Permits must be obtained to merely test an area for project feasibility should be eliminated. They remind the Commission that the process already has regulations that address height, size, etc. They believe adoption of Staff's recommendations will lessen dependence on fossil fuels, promote the use of renewable clean energy, and will create employment opportunities for County residents. Others point out that information collection research, such as the MET facilities, is categorically exempt from CEQA review. They believe there should also be exemptions for residential testing facilities.

Commissioner Kreitzer suggest that the feasibility of installing these facilities near open water be examined, because that would result in fewer impacts on property owners, aesthetics and raptors. Commissioners Beck and Day support the direction in which the County is heading, and support not requiring Major Use Permits for testing facilities.

POD 08-015, Agenda Item 1:

Commissioner Beck believes a comprehensive analysis of what will be done with this energy source is needed, and that Staff needs to identify the zones wherein the process would be streamlined to promote establishment of the facilities. He also believes the impacts associated with the operating the facilities (such as injuries to raptors, flicker vertigo as discussed by Chairman Riess, and noise) must also be addressed.

Commissioner Day believes the County needs to create an environment for clean energy as alternative sources for energy are explored. He reminds those in attendance that two different issues are being discussed today: MET Facilities and Wind Turbine Systems. He supports Staff's recommendations with a few changes, including revising noticing requirements to indicate that those within 600' of the proposed MET facilities, rather than 20 surrounding property owners, are notified of the applicant's/property owner's intent. Staff clarifies that MET Facilities are not addressed in the Zoning Ordinance, but wind turbines up to 65' in height are allowed by right on residential properties. Staff believes the best way to the address the MET Facilities is through the Use Permit process.

Commissioner Day recommends removal of Alternative A1, but is informed by Counsel that this cannot be removed. Commissioners Brooks and Kreitzer concur with Commissioner Day, but Commissioner Kreitzer also agrees with Commissioner Beck that a comprehensive plan is needed, in that adoption of the amendments could result in significant impacts on back-country residents.

Action: Day – Pallinger

Accept Alternatives A2 and B2 with stipulation that all property owners within a 600' radius will be notified of proposed projects, rather than notifying a minimum of 20 property owners surrounding the proposed facility. Recommend that the Board of Supervisors:

1. Find that the project complies with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines because the amendments can be found exempt from CEQA per Section 15061(b)(3) of the CEQA Guidelines; and
2. Adopt the Form of Ordinance amending the Zoning Ordinance related to meteorological testing facilities.

POD 08-015, Agenda Item 1:

3. Direct the Chief Administrative Officer to prepare an ordinance reflecting Alternative B2, updating the wind turbine regulations;

Discussion of the Motion:

Staff reminds the Commissioners that the proposed noticing requirements are the same as all other County of San Diego noticing requirements. Staff believes it would be extremely difficult to create special noticing requirements for this Ordinance. Commissioner Day remains unsatisfied with this requirement and requests a report back from Staff discussing the feasibility of amending it.

Chairman Riess is not supportive of Staff's recommendations for safety reasons. He explains that the towers are nearly invisible from certain positions, such as when flying into the sun. He recommends that specific measures be taken to resolve this hazard. Commissioner Beck announces he won't support the Motion because he believes it should be part of a comprehensive strategy for wind energy. He would prefer a commitment to developing and implementing a broader strategy.

Commissioner Pallinger suggests including wording in the Motion that would reflect Commissioner Beck's concerns, and Commissioner Day reiterates that MET facilities and wind turbine systems are two different issues. He's more than amiable to recommending that the Board of Supervisors direct Staff to look at this matter comprehensively and globally.

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| Ayes: | 3 - | Day, Pallinger, Woods |
| Noes: | 3 - | Beck, Brooks, Riess |
| Abstain: | 0 - | None |
| Absent: | 1 - | Kreitzer |

This Motion fails. This Zoning Ordinance amendment will proceed to the Board of Supervisors without a recommendation from the Planning Commission.

P06-098, Agenda Item 3:**3 Descanso Wireless Telecommunication Facility, Major Use Permit P06-098, Central Mountain Subregional Plan Area (Johnston)**

TRequest for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility. The project consists of 12 panel antennas and a 6' diameter microwave dish attached to a proposed 40' tall faux monopine tree. Supporting equipment includes a pre-cast concrete equipment shelter, two air conditioner units, two GPS antennas, and a back-up generator. Landscape screening includes 6 new Coulter pine trees, 31 Wild Lilac shrubs, 28 Cleveland Sage shrubs, and 8 Toyon shrubs. The project site is subject to the General Plan Regional Category of Rural Development Area (RDA), Land Use Designation (23) National Forest and State Parks, and is zoned S92 – General Rural. The project site is located at 11190 SR 79 in the Central Mountain Subregional Plan Area.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Grant Major Use Permit P06-098, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

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| Ayes: | 6 - | Beck, Brooks, Day, Kreitzer, Pallinger, Riess |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Woods |

P06-049, Agenda Item 4:**4. Boulder Creek Wireless Telecommunication Facility, Major Use Permit P06-049, Central Mountain Subregional Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless telecommunication facility. The project consists of 15 panel antennas attached to a proposed 35' tall faux monopine tree. Supporting equipment includes a pre-cast concrete equipment shelter, two air conditioner units, and two GPS antennas. Landscape screening includes 6 new Coulter pine trees, 31 Wild Lilac shrubs, 28 Cleveland Sage shrubs, and 8 Toyon shrubs. The project site is subject to the General Plan Regional Category of Rural Development Area (RDA), Land Use Designation (23) National Forest and State Parks, and is zoned S92 – General Rural. The project is located at 11190 SR 79 in the Central Mountain Subregional Plan Area.

Staff Presentation: Johnston

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Grant Major Use Permit P06-049, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

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| Ayes: | 6 - | Beck, Brooks, Day, Kreitzer, Pallinger, Riess |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Woods |

P98-001, Agenda Item 5:**5. Salvage Yards Recycling & Automobile Storage, Scrap & Recycling Operations, and Wood & Green Material Recycling, Major Use Permit P98-001, East Otay Mesa Specific Plan Area**

Proposed Major Use Permit to allow the following uses: scrap operations, green materials recycling and automobile storage, recycling, and sales. The uses are proposed on approximately 161 acres in the East Otay Mesa Specific Planning Area. The majority of the site has a Heavy Industrial designation with the exception of the eastern edge, which is designated as Conservation/Limited Use and will be dedicated as open space as a condition of the Major Use Permit. The Heavy Industrial portion includes automobile recycling and wood and green recycling facilities that will be sold or leased to separate recycling companies. Each facility will include an outdoor storage area, recycling equipment, an office trailer, and parking spaces for employees and customers. The Permit also includes 30,000 square feet of usable open space for employees, as required by the East Otay Mesa Specific Plan. The project site is located east and west of Alta Road in the northeasterly portion of the East Otay Mesa Specific Planning Area.

Staff Presentation: Rosenberg

Proponents: 1; **Opponents:** 0

Discussion:

Following Staff's presentation, Commissioner Beck inquires whether the recommendations provided by the U.S. Fish and Wildlife Service have been incorporated in the Major Use Permit. Staff assures him and the Planning Commission that they are, and that the applicant is also required to create burrowing owl habitat.

Action: Beck – Pallinger

Grant Major Use Permit P98-001, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

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| Ayes: | 4 - | Beck, Brooks, Kreitzer, Pallinger |
| Noes: | 0 - | None |
| Abstain: | 1 - | Riess |
| Absent: | 2 - | Day, Woods |

P69-129W⁵, Agenda Item 6:**6. Trinity Presbyterian Church Telecommunication Facility Generator Addition, Major Use Permit P69-129W⁵, Spring Valley Community Plan Area**

Request for a Major Use Permit Modification to authorize the installation and operation of an emergency backup generator for an existing unmanned wireless facility located at 3902 Kenwood Drive. The 30KW generator will be mounted inside a new 9'10" x 11'2" generator structure. In addition, a new wood fence will be placed around the existing AC units for noise attenuation purpose and additional landscaping is proposed for screening purpose. The proposed project will occupy approximately 100 square-feet, and the project site is split zoned as RS4 and RS7 (Residential).

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Grant Major Use Permit P69-129W⁵, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

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| Ayes: | 6 - | Beck, Brooks, Day, Kreitzer, Pallinger, Riess |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Woods |

P06-072, Agenda Item 7:**7. Del Dios Highway Wireless Telecommunication Facility, Major Use Permit P06-072, San Dieguito Community Plan Area**

Request for a Major Use Permit to authorize the construction and operation of an unmanned wireless facility. The facility includes a 40' tall utility pole onto which two panel antennas will be mounted. Associated equipment will consist of equipment racks, two battery racks, a surge suppressor, and other equipment that will be enclosed by an underground concrete equipment vault. In addition, approximately 750 feet of trenching along the Del Dios Highway right-of-way (ROW) is proposed. The project is located on the Del Dios Highway ROW (8901 Del Dios Highway), with a leased area of 230 square feet.

Staff Presentation: Chan

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Grant Major Use Permit P06-072, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in manner consistent with the Zoning Ordinance and State Law.

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| Ayes: | 6 - | Beck, Brooks, Day, Kreitzer, Pallinger, Riess |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Woods |

Administrative:

F. Director's Report:

None.

G. Report on actions of Planning Commission's Subcommittees:

No reports provided.

H. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

No one was designated to attend the January 7, 2009 Board of Supervisors meeting.

I. Discussion of correspondence received by the Planning Commission:

None received.

J. Scheduled Meetings:

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| January 9, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| January 23, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| February 13, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| February 27, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| March 13, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| March 27, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| April 10, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| April 24, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| May 8, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| May 22, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |

Administrative:

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| June 5, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| June 19, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| July 10, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| July 24, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| August 7, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| August 21, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| September 4, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| September 19, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| October 2, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| October 16, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| October 30, 2009 | Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room |
| November 13, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| December 4, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| December 18, 2009 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |

There being no further business to be considered at this time, the Chairman adjourned the meeting at 11:18 a.m. in honor of Commissioner David Kreitzer who's resignation, after 21 years of service as a Planning Commissioner, is effective today. The Planning Commission will next meet at 9:00 a.m. on January 9, 2009 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.